

270

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 34801 of 2017
Date of Decision: 26.10.2017

Jaswinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Gagandeep Singh Simble, Advocate,
for the petitioners.

Mr. Luvinder Sofat, A.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 51, dated 08.07.2013, under Sections 326, 323 and 34 of the Indian Penal Code, registered at Police Station Qila Lal Singh, Police District Batala, District Gurdaspur, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectable and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Batala, vide report dated

18.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 03.10.2017, before the Judicial Magistrate Ist Class, Batala, whereby he has admitted the factum of compromise with the accused persons with the intervention of the respectables and further deposed that he has given his statement with his free will and without any coercion and any pressure.

[4]. In view of the report of the Judicial Magistrate Ist Class, Batala, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 51, dated 08.07.2013, under Sections 326, 323 and 34 of the Indian Penal Code, registered at Police Station Qila Lal Singh, Police District Batala, District Gurdaspur, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

26.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No